

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 20-CR-232-JRT-KMM

Plaintiff,

v.

(1) Russell Jason Rahm; (2) Terry Lynn Chistensen; (3) Jannice Kristina Laur; (4) Petra Jinette Laboy; (5) David John Moulder; (6) Anthony Eugene Moulder; (7) Rhonda Jean Moulder; (8) Barbara Ann Moulder; (9) Luis Orlando Mendizabal; (10) Jeffrey Lee Smoliak; (11) John Michael Blalock; (12) Lloyd Joseph Loftis; (13) Bryant Jarode Critten; (14) Natesha Jahmelia Marson; (15) Thomas Athanasios Kiritsis; (16) Daniel Morris Klibanoff; (17) Brian Douglass Cox; (18) John Thomas Harbert, III; (19) Amondo Antoine Miller; (20) Kiley Marie Saindon; (21) Henry Aragon; (22) Lucille J. Patterson; (23) James Anthony Sierra; (24) Tara Nicole Creason; (25) Yvonne Patterson; (26) Charitie A. Seelye; (27) Bonnie Lee Colbert; (28) Jennifer Lynn Williamson; (29) Jessica Marie Prince; (30) Brian James Williams; (31) Tashena Lavera Crump; (32) Jared Thomas Michelizzi; (33) Eric Patrick McGarrity; (34) Andrew John Landsem; (35) Ballam Hazeakiah Dudley; (36) Caitlin Colleen Schlusser; (37) Monica Sabina Sharma-Hanssen; (38) Timothy Paul Hanssen; (39) Corlos Kentrell Smith; (40) Stacey Leigh Persons; (41) Patricia Nichole Shinn; (42) Leeann Garcia; (43) Erich Stephen Esherick,

**SECOND AMENDED
SCHEDULING ORDER**

Defendants.

Defendant Timothy Hanssen has filed a Motion to Modify First Amended Scheduling Order (ECF 640). Given the complexities of this matter and the related litigation, any adjustment of the schedule will be applied to all of the defendants across all cases. Counsel for Mr. Hanssen advises that all of the counsel for other defendants to with whom he has communicated also support this request. The United States has no objection to the relief sought. Good cause for the requested extension has been shown. Therefore, the Court finds that the requested extension of the pretrial schedule is appropriate, and the following deadlines are adopted¹:

I. PRETRIAL DEADLINES/DISCOVERY AND DISCLOSURE ORDER

1. All pretrial motions must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47, and Local Rule 12.1(c)(1), **on or before August 16, 2021**.

If counsel for any defendant is unable to meet this deadline, he or she must seek a modification of the schedule **by no later than August 2, 2021**.

3. It is unknown at this time whether the Court will continue to hold hearings via videoconference by the time a pretrial motions hearing is held in this matter. Nonetheless, out of an abundance of caution, counsel for each defendant must electronically file a letter indicating whether their client consents to hold the motions hearing in this matter via video conference **by August 16, 2021**.

4. Counsel must electronically file a letter **on or before August 16, 2021**, if no motions will be filed and there is no need for a hearing.

5. The government's responses to all pretrial motions **must be filed by September 16, 2021**.

¹ The Court notes that many defendants in this matter have already entered guilty pleas. They are therefore unlikely to be impacted by this amended schedule and can disregard it.

6. The government shall file its Notice of Intent to Call Witnesses **by October 13, 2021**, in accordance with D. Minn. LR 12.1(c)(3)(A). In order to avoid the need for a recess of the motions hearing, the government must make all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h) **by October 27, 2021**, if they have not already been provided to opposing counsel.

7. Any Responsive Notice of Intent to Call Witnesses on behalf of any defendant **must be filed by September 30, 2021**. D. Minn. LR 12.1(c)(3)(B).

II. SPEEDY TRIAL EXCLUSION

For the reasons set forth in the Court's order designating this case as a complex case pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), as well as the reasons set forth in the Motion filed by Mr. Hanssen (ECF Nos. 102 & 640), the time between the date of this Order and **September 30, 2021**, when the motions and responses will be complete in this case, shall be excluded from the Speedy Trial Act calculations.

III. CONCLUSION

Consistent with the foregoing, Mr. Hanssen's motion to modify the schedule is **GRANTED** as set forth in this Second Amended Scheduling Order. All other terms and conditions remain in full force and effect. Counsel for both sides are advised that further requests for extension of the pretrial motion schedule in this case are unlikely to be granted absent an even greater showing of good cause.

Date: June 30, 2021

s/Katherine Menendez
Katherine Menendez
United States Magistrate Judge